

MPEP 706.04:

## **“706.04 Rejection of Previously Allowed Claims [R-1] - 700**

### **Examination of Applications**

#### **706.04 Rejection of Previously Allowed Claims [R-1]**

A claim noted as allowable shall thereafter be rejected only after the proposed rejection has been submitted to the primary examiner for consideration of all the facts and approval of the proposed action.

Great care should be exercised in authorizing such a rejection. See *Ex parte Grier*, 1923 C.D. 27, 309 O.G. 223 (Comm'r Pat. 1923); *Ex parte Hay*, 1909 C.D. 18, 139 O.G. 197 (Comm'r Pat. 1909).

#### **PREVIOUS ACTION BY DIFFERENT EXAMINER**

Full faith and credit should be given to the search and action of a previous examiner unless there is a clear error in the previous action or knowledge of other prior art. In general, an examiner should not take an entirely new approach or attempt to reorient the point of view of a previous examiner, or make a new search in the mere hope of finding something. >*Amgen, Inc. v. Hoechst Marion Roussel, Inc.*, 126 F. Supp. 2d 69, 139, 57 USPQ2d 1449, 1499-50 (D. Mass. 2001).<

Because it is unusual to reject a previously allowed claim, the examiner should point out in his or her office action that the claim now being rejected was previously allowed by using Form Paragraph 7.50.

#### **¶ 7.50 Claims Previously Allowed, Now Rejected, New Art**

The indicated allowability of claim [1] is withdrawn in view of the newly discovered reference(s) to [2]. Rejection(s) based on the newly cited reference(s) follow.

#### **Examiner Note**

1. In bracket 2, insert the name(s) of the newly discovered reference.
2. Any action including this form paragraph requires the signature of a Primary Examiner. MPEP § 1004.”

(end of quote of MPEP 706.04)

6)

A)

Please note MPEP 706.04 the first sentence under the heading "PREVIOUS ACTION BY DIFFERENT EXAMINER" reads:

**"Full faith and credit should be given to the search and action of a previous examiner unless there is a clear error in the previous action or knowledge of other prior art."**

B) The 07/31/2003 and the current 05/03/2004 Office Actions show a complete and total disregard by the rejecting Examiner for the Commissioner's mandates in this situation of previously allowed claims. Shown is a total disregard for U.S. law requiring a patent application to be issued as a U.S. Patent when all requirements therefore have been met. The current application has long ago met all of the requirements for issuing as a U.S. Patent, as such was properly determined by Patent Examiner Paradiso and his Supervisor Examiner Rada.

C) Clearly from the mandated rules of MPEP 706.04 the Patent Office can reject previously allowed claims such as claims 1-47 for only two reasons:

- 1) a clear error in the previous action, or
- 2) knowledge of other prior art.

7)

A) From the current file and as detailed herein there is in fact no "knowledge of other prior art". Therefore that reason, i.e., "knowledge of other prior art" is not available as a reason to not give **"Full faith and credit"...** **"to the search and action of a previous examiner"**.

“Full faith and credit”... “to the search and action of a previous examiner” in this case cannot be withheld from the action of Examiner Paradiso on the basis of “knowledge of other prior art”, for there is no “knowledge of other prior art” in either the 07/31/2003 or 05/03/2004 Office Actions.

8)

A) Next, the requirement or question which must be addressed under MPEP 706.04 is whether “Full faith and credit”... “to the search and action of a previous examiner” in this case can be withheld from the action of Examiner Paradiso on the basis of “a clear error in the previous action”. The previous action in this case is of course the 04/23/2002 Notice of Allowance for claim 1-47.

B) Please note that “clear error” has a legal definition, meaning:

*A trial judge’s decision or action that appears to a reviewing court to have been unquestionably erroneous.* (Black’s Law Dictionary, Seventh Edition)

C) In the 05/03/2004 Office Actions, the rejecting Examiner states that the 5-87760 Furukawa document anticipates the claimed invention of Applicant’s claims 1-3, 6-17, 20-24, 30-31, 39, and 42, those claims being rejected under 35 U.S.C. 102(b) as being anticipated by 5-87760 Furukawa.

D) The 35 U.S.C. 102(b) rejection on 05/03/2004 is entirely flawed, improper and cannot be sustained because 5-87760 Furukawa as described by the rejecting Examiner on Page 2 of the 05/03/2004 Office Action in the paragraph beginning with “Claims 1-3, 6-17...” completely fails to address an important claimed feature. That missed claim feature is: (paraphrased from Applicant’s 01/30/2004 claims as amended) a pressure sensitive variable output button located in the right hand area of a two hand held game controller, see

claim 1 lines 14-17 of the claim, see claim 16 lines 9-14 of the claim, see claim 20 lines 13-19 of the claim, see claim 23 lines 11-15 of the claim, see claim 39 lines 7-8, 13-15 of the claim.

Also see the instant specification in the "Summary of the Invention" pages 4-6 for the most readily located criticality of right hand pressure sensor buttons on a two hand held game controller.

E) The rejecting Examiner has completely failed to note this important feature of "a pressure sensitive variable output button located in the right hand area of a two hand held game controller" in the current claims noted above. Applicant here takes the opportunity to state that feature is in fact not described in the 5-87760 Furukawa document.

F) Furthermore, the 35 U.S.C. 102(b) rejection on 05/03/2004 by the rejecting Examiner is entirely improper and cannot be sustained because 5-87760 Furukawa as described by the rejecting Examiner on Page 2 of the 05/03/2004 Office Action, in the paragraph beginning with "Claims 1-3, 6-17..." also completely fails to address the claim feature of: (paraphrased from Applicant's 01/30/2004 claims as amended) an "individual" pressure sensitive variable output button located on a two hand held game controller, i.e., individual having the meaning of at least not being co-dependent such as with a four-way rocker such as cross key 12 of Furukawa, see current claim 6 lines 7-15 of the claim, see claim 30 lines 3-12 of the claim. The rejecting Examiner has completely failed to note this important individual or discrete pressure button feature noted as a "discrete" button in the "reasons for allowance" by Examiner Paradiso and his Supervisor Examiner Rinaldi Rada in the 04/23/2002 Office Action which is in the current claims as noted above and not described in the 5-87760 Furukawa document.

G) Therefore the basis for the 35 U.S.C. 102(b) rejection of 05/03/2004 for all of the independent claims 1, 6, 16, 20, 23, 30, and 39 is seriously flawed and must be withdrawn. Please withdraw the 35 U.S.C. 102(b) rejection of the 05/03/2004 Office Action as being improper and unsupported because Furukawa does not anticipate the discrete pressure sensor button on a two hand held controller nor does Furukawa anticipate the locating the pressure sensitive button in the right hand area of a two hand held controller, and further also because the rejecting Examiner fails to note these important features as he is required to in order to support a proper 35 U.S.C. 102(b) rejection according to MPEP 2131.

9)

A)

From **MPEP 2131**:

**TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM**

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). >"When a claim covers several structures or compositions, either generically or as alternatives, the claim is deemed anticipated if any of the structures or compositions within the scope of the claim is known in the prior art." *Brown v. 3M*, 265 F.3d 1349, 1351, 60 USPQ2d 1375, 1376 (Fed. Cir. 2001) (claim to a system for setting a computer clock to an offset time to address the Year 2000 (Y2K) problem, applicable to records with year date data in "at least one of two-digit, three-digit, or four-digit" representations, was held anticipated by a system that offsets year dates in only two-digit formats). See also MPEP § 2131.02.< "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required.

*In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Note that, in some circumstances, it is permissible to use multiple references in a 35 U.S.C. 102 rejection. See MPEP § 2131.01

(end of quote from MPEP 2131)

B) It is clear the rejecting Examiner has failed to show the relied upon reference has “each and every element” of the claims, and that the elements are all “arranged as required by the claim” as is mandated under MPEP 2131, so the 35 USC 102 rejection is in error and must be withdrawn.

C) The rejecting Examiner has completely failed to meet the requirements of a proper and sustainable 35 U.S.C. 102(b) rejection for any of the pending claims 1-47, and thus it is requested the rejection be withdrawn.

10)

A) The 35 U.S.C. 103 obviousness rejection by the rejecting Examiner is equally as flawed and in the same manner as his 102(b) rejection, the 103 rejection as written by the rejecting Examiner relying on those very same missing elements described above as missing from the flawed 35 U.S.C. 102 rejection.

B) The rejecting Examiner has completely failed to meet the requirements of a proper and sustainable 35 U.S.C. 103 rejection for any of the pending claims as required under MPEP 2143.03 and thus it is requested the rejection be withdrawn.

C)

From MPEP 2143.03:

**“2143.03 All Claim Limitations Must Be Taught or Suggested**

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).”

(end of quote from 2143.03)

D) Clearly all of the limitation are not taught or suggested in the relied upon prior art as detailed above regarding the flawed 35 U.S.C. 102(b) rejection, and therefore the 35 U.S.C. 103(a) rejection must be withdrawn. Specifically, the individual or discrete pressure button on a two hand held game controller, and the pressure sensitive button in the right hand side of a two hand held game controller features are fully missing in the rejecting Examiner’s 35 U.S.C. 103 rejection of claims 4-5, 18-19, 25-29, 32-38, 40-41, and 43-47. The same features missing in the 102 rejection are missing in the 103 rejection.

E) Please withdrawn the 35 U.S.C. 103 rejection as being improper for the failure of the rejecting Examiner to show that “all claim limitations” are in the relied upon art as required in 2143.03 wherein the requirement of “All Claim Limitations Must Be Taught or Suggested” is set-out by the Commissioner to be followed by Patent Examiners. Thank you.

11)

A)

Furthermore, regarding the improperness of the obviousness rejection in the 05/03/2004 Office Action: MPEP 706.04 regarding previously allowed claims states:

***"an examiner should not take an entirely new approach or attempt to reorient the point of view of a previous examiner"***

The current rejecting Examiner when writing the 05/03/2004 Office Action clearly took ***"an entirely new approach or attempt to reorient the point of view of a previous examiner"***.

B) Therefore, not only was the rejection basis in the 05/03/2004 OA deeply flawed as above shown in accordance with both MPEP 2131 and MPEP 2143.03, but the manner which the rejecting Examiner went about his reexamination was also flawed in that he clearly took ***"an entirely new approach or attempt to reorient the point of view of a previous examiner"***, as Examiner Paradiso had studied the same prior art relied upon by the rejecting Examiner, and the rejecting Examiner failed to point to anything new in the relied upon references which showed the references anticipated or suggested the claimed invention of claim 1-47.

C) Withdrawal of the grounds for rejection stated in the 05/03/2004 Office Action is requested and is clearly the proper action to be taken.



12)

A)

Furthermore, MPEP 706.04 regarding rejection of previously allowed claims also states:

**“Great care should be exercised in authorizing such a rejection.”**

See Ex Parte Grier, 1923 C.D. 27, 309 O.G. 223 (Comm’r Pat. 1923); Ex Parte Hay, 1909 C.D. 18, 139 O.G. 197 (Comm’r Pat. 1909). Applicant points out to the current Examiner that this is a long standing precedent set forth by the Courts and honored by the Patent Office for now some 95 years.

B)

“Great care” has a legal definition, meaning: *“1. The degree of care that a prudent person exercises in dealing with very important personal affairs. 2. The degree of care exercised in a given situation by the person most competent to deal with the situation.”* (Black’s Law Dictionary, Seventh Edition)

C)

Great care has in the Office Actions of 07/31/2003 and 05/03/2004 not been exercised in any aspect, in that the rejecting Examiner stated on 07/31/2003 that the two relied upon Japanese references were newly discovered prior art, which very clearly they were not, and then made and continues to make fully unsupported rejections based on the very same prior art previously overcome. Clearly there has been no Great care in any aspect by the rejecting Examiner.

As herein shown, “All” of the mandated requirements of MPEP 706.04 have been disregarded by the rejecting Examiner in some misguided attempt to reject previously properly allowed claims 1-47.

D) Since MPEP 2131 governing 35 U.S.C. 102 rejections was not at all followed by the rejecting Examiner as above clearly shown, there was no care and certainly no "Great care" in this aspect.

E) Since MPEP 2143.03 governing 35 U.S.C. 103 rejections was not at all followed by the rejecting Examiner as above clearly shown, there was no care and certainly no "Great care" in this aspect.

F) There is no proper basis whatsoever in the rejections of any of claims 1-47 in the 07/31/2004 and 05/03/2004 Office Actions, thus withdrawal of the rejections and allowance of the claims is requested.

**13)**

**A) Declaration supporting the below statements by Inventor / Applicant:**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true: and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**New Objective Evidence of Patentability; Secondary Considerations**

B) Below is newly submitted Evidence of Patentability: 1) touching the merits of the invention and claims 1-47, and 2) newly submitted because the evidence was not available sooner due to the Commercial Success and Licensing / Settlement Agreement having not yet occurred. It is respectfully requested that the newly submitted Evidence of Patentability be considered after Final, and that the claims 1-47 be reexamined and held allowable in view of this response. Even without consideration of the Secondary Considerations, claims 1-47 and new claims 48-50 are allowable as novel and inventive.

C) Regarding the instant Application, Applicant has submitted a terminal disclaimer for U.S. Patent 6,102,802 but not yet for U.S. Patent 6,343,991, as the claims of these two Patents are similar to claims 1-47 of the instant Application. Please read the claims of U.S. Patents 6,102,802 and 6,343,991. Please request a terminal disclaimer for U.S. Patent 6,343,991 if the Examiner believes it required under the law relative to any of the instant claims 1-47.

D) Copies of the publications of Furukawa 5-87760 and Terajima et al 7-302159 were given to Applicant by Patent Attorneys defending Sony Computer Entertainment of America (Sony is the Parent company) against infringement

charges made by Applicant that the Game machine called Playstation 2 and its two hand-held controller infringes Applicant's US Patent 6,102,802 and U.S. Patent 6,343,991. The Playstation 2 and two hand held controller also is described by current claims 1-47.

E) Furukawa 5-87760 and Terajima et al 7-302159 initially were said by the Patent Attorneys (the Law Firm) defending Sony to teach and suggest claims of Patents 6,102,802 and 6,343,991 including but not limited to claims including:

- a two hand-held game controller with
- a pressure-sensitive individual button, or
- a variable pressure sensor positioned in the right-hand area.

F) The Patent Attorneys for Sony who provided Furukawa 5-87760 and Terajima et al 7-302159 were requested by Applicant to specifically identify in Furukawa 5-87760 and Terajima et al 7-302159 by page, paragraph and line the teachings and or suggestion of the combination of :

- a two hand-held game controller with
- a pressure-sensitive individual button, or
- a variable pressure sensor positioned in the right-hand area.

G) The Patent Attorneys for Sony were apparently unable to specifically adequately identify such teachings or suggestions in the Japanese Publications, much the same as Applicant is unable to locate such teachings or suggestions, and lacking any reasonable adequate defense against the infringement charges on claims similar to the current claims 1-47, Sony recently purchased a License to Applicant's technology for many Millions of U.S. Dollars.

H) In addition to the many Millions of U.S. Dollars paid to settle the infringement charges and acquire the needed License, Sony also stated in the written record that the Patents of Applicant's including U.S. Patent 6,102,802 and

U.S. Patent 6,343,991 were **Valid**. The Attorneys stating Applicant's U.S. Patent 6,102,802 and U.S. Patent 6,343,991 were Valid were very familiar with 5-87760 Furukawa and 7-302159 Terajima et al, after all they were the ones who provided the references to Applicant who in turn provided them to the U.S. Patent and Trademark Office.

I) The majority of the writing in the License between Applicant and Sony is Strictly Confidential but Applicant could provide photocopies thereof with blacked out confidential data sections if requested by the Examiner.

Commercial Success and Licensing Activities are Secondary Considerations which when present must be considered by the U.S. Patent Office, Supreme Court Graham v. John Deere Co (1966) and also see MPEP 716.01(a).

J) Sony purchased the License to Applicant's technology for many Millions of U.S. Dollars and stated in writing that the Patents of Applicant's were **Valid**. This payment and License would not have been made and entered into by Sony if the two Japanese references taught or suggested the claimed invention, thus such is further evidence of the novelty and inventiveness of the claims.

K) This above Evidence of Patentability is requested to be carefully considered with a reexamination of the current claims 1-47, finding these claims once again Allowable as was earlier properly determined by U.S. Patent Examiner John Paradiso and as was essentially determined by the Patent Attorneys or Law Firm attempting to defend Sony.

#### 14) AMENDMENTS TO THE CLAIMS

The claims were last amended on 01/30/2004 (Jan. 30, 2004) if they were amended. All claim 1-47 are shown below, wherein marked up versions are used to show further amendments beyond any of those made 01/30/2004. The amendments are being made to existing claims to make what Applicant is claiming more clear as to what Applicant regards as his invention, not to overcome any prior art or legal deficiency. New claims 48-56 are added, and the Large entity fee therefore is attached.

1. (currently amended) Apparatus for game playing, comprising:  
an image generation machine capable of driving  
a television, said image generation machine at least in-part controlled by a  
controller for controlling electronic imagery, said controller comprising:  
a housing structured to be held by two hands simultaneously, said housing  
having a left-hand area and right-hand area,  
a four-way rocker located in said left-hand area of said housing,  
a plurality of depressible buttons at least in-part exposed on said housing  
with the depressible buttons acting on  
electricity manipulating devices contained within said housing and  
controlled by depression of said depressible buttons for manipulating electrical  
outputs at least useful for controlling electronic imagery; at least one of said  
electricity manipulating devices is a pressure-sensitive variable-conductance  
sensor for defining an analog electrical output proportional to varying physical  
pressure applied to a depressible button of the plurality of depressible buttons,

said button and said sensor are positioned in said right-hand area of said housing;

means for outputting a signal from said controller to said image generation machine, said signal at least representational of said analog electrical output;

said sensor comprises:

circuit trace material supported by under

a sheet, said sheet located within said housing,

a resilient dome cap positioned over said sheet and said circuit trace material, said resilient dome cap depressible by depressive pressure applied to said button.

2. (original) Apparatus for game playing in accordance with claim 1 wherein said resilient dome cap has an underside substantially convexed surface.

3. (original) Apparatus for game playing in accordance with claim 2 wherein

said substantially convexed surface deformable to at least partially flatten-out with pressure applied to said button, the deforming of said substantially convexed surface causing electrical contact of additional surface area of the circuit trace material.

4. (currently amended) Apparatus for game playing in accordance with claim 3 wherein said circuit trace material is in an interdigitated form in an area under said resilient dome cap, and  
said sheet ~~is a circuit board~~.

5. (original) Apparatus for game playing in accordance with claim 4 further including conductive material contacting the interdigitated circuit trace material when said button is depressed.

6. (original) Apparatus for game playing, comprising  
an image generation machine capable of driving an image display, said image generation machine at least in-part controlled by

a game controller structured to be held by a human user in two hands simultaneously, said controller comprising:

housing means for being held by the human user;

a plurality of depressible individual buttons exposed on said housing means and depressible by digits of the user's hands to operate

electricity manipulating devices contained within said housing means and operated for manipulating electrical outputs of said electricity manipulating devices by depression of said depressible individual buttons; at least one of said electricity manipulating devices including



means for an analog electrical output proportional to varying physical pressure applied by at least one depressible individual button of the plurality of depressible individual buttons;

means for outputting a signal from said controller to said image generation machine, said signal at least representational of said analog electrical output.

7. (original) Apparatus for game playing in accordance with claim 6 wherein said housing means is structured as a single housing to be held by two hands simultaneously.

8. (original) Apparatus for game playing in accordance with claim 7 wherein said means for an analog electrical output includes a resilient dome cap positioned over a first circuit trace and a second circuit trace, the circuit traces are in close proximity to one another.

9. (original) Apparatus for game playing in accordance with claim 8 further comprising

conductive material positioned to contact across the circuit traces when said resilient dome cap is depressed.

10. (currently amended) Apparatus for game playing in accordance with claim 9 wherein said resilient dome cap includes a substantially convexed portion

positioned to press ~~against~~ said conductive material when said resilient dome cap is depressed.

11. (currently amended) Apparatus for game playing in accordance with claim 10 wherein said convexed portion of said resilient dome cap is deformable when pressed ~~against said conductive material~~.

12. (currently amended) Apparatus for game playing in accordance with claim 11 further comprising  
a left hand area and a right hand area of said housing, and  
said one depressible individual button is ~~position~~ positioned in said right hand area.

13. (original) Apparatus for game playing in accordance with claim 12 further comprising  
a four-way rocker at least in part exposed on said housing in said left hand area.

14. (original) Apparatus for game playing in accordance with claim 13 further comprising  
four analog sensors associated with said four-way rocker.

15. (original) Apparatus for game playing in accordance with claim 14 further comprising

each sensor of said four analog sensors including a resilient dome cap.

16. (original) Apparatus for game playing, comprising  
a game console capable of controlling imagery shown by a television, said game console at least in-part controlled by

a controller, said controller comprising:

a housing to be grasped and held simultaneously by two hands of a human user; said housing including a right-hand area and a left-hand area, said right-hand area being an area for grasping by the user's right hand, said left-hand area being an area for grasping by the user's left hand;

a plurality of depressible individual buttons located on said housing in said right-hand area and positioned to be within reach of the user's right-hand thumb with the user's hand grasping said housing in said right-hand area;

at least one button of said depressible individual buttons including means for defining an analog electrical output proportional to varying applied physical pressure;

means for outputting from said controller to said game console a signal at least representational of said analog electrical output.

17. (original) Apparatus for game playing in accordance with claim 16 wherein said means for defining an analog electrical output comprises:

a resilient dome cap, said resilient dome cap positioned over  
conductive material, said conductive material positioned over  
circuit trace material.

18. (original) Apparatus for game playing in accordance with claim 17  
wherein said left-hand area includes a four-way rocker, said four-way rocker is  
associated with four electricity manipulating devices in part located on  
a circuit board, said circuit board continuing from said left-hand area into  
said right-hand area, said circuit board supporting said circuit trace material  
associated with said at least one button, said circuit trace material formed as  
interdigitated circuit traces, said resilient dome cap having a substantially convex  
shaped underside,

wherein a first level of pressure applied to said button causes said  
substantially convex shaped underside to contact said conductive material to a  
first surface area of said interdigitated circuit traces, and a second level of  
pressure applied to said button causes said convex shaped underside to contact  
said conductive material to a second surface area of said interdigitated circuit  
traces, said second level of pressure being greater than said first level of  
pressure and said second surface area being greater than said first surface area.

19. (original) Apparatus for game playing in accordance with claim 18  
wherein said at least one button located in said right hand area is at least four  
buttons located in said right hand area.

20. (previously amended) Game playing apparatus, comprising:

- an image display showing imagery;
- an image generation machine at least in part controlling the imagery shown by said image display;
- a game controller at least in part controlling said image generation machine;
- said game controller comprising:
  - a housing to be grasped and held simultaneously by two hands of a human user during use, said housing including a right-hand area and a left-hand area;
  - a plurality of depressible electricity manipulating devices each at least in part exposed on said right-hand area of said housing;
  - at least one device, of said electricity manipulating devices, creating an analog electrical signal representing varying applied physical pressure;
  - and,
  - at least one of said electricity manipulating devices creating an On/Off signal;
  - electronics at least in part converting the signals into control of the imagery shown by said display.

21. (previously amended) Game playing apparatus according to claim 20 wherein said at least one device, and said at least one of said electricity

manipulating devices, are separate devices of said electricity manipulating devices, and said at least one of said electricity manipulating devices creating only an On/Off signal.

22. (previously amended) Game playing apparatus according to claim 20 wherein said at least one device, and said at least one of said electricity manipulating devices, is a single device of said electricity manipulating devices.

23. (original) Apparatus for image control, comprising:

a machine for controlling imagery, said machine at least in-part controlled by

a hand held controller,

said controller comprising:

a housing shaped to be grasped and held simultaneously by two hands of a human user during use, said housing including a right-hand area and a left-hand area;

a plurality of depressible electricity manipulating devices each at least in-part exposed on said housing,

at least one of said electricity manipulating devices is a sensor, said sensor located in said right-hand area of said housing, said sensor comprising:

a depressible resilient dome cap positioned over electrically conductive material, variable depression of said dome cap defining an analog electrical output representing said variable depression,

active electronics means for interpreting said analog electrical output and causing variable control of the imagery.

24. (original) Apparatus for image control according to claim 23 wherein said conductive material is pressure-sensitive variable-conductance material.

25. (original) Apparatus for image control according to claim 23 wherein said depressible resilient dome cap has a substantially convexly rounded inner portion, said substantially convexly rounded inner portion comprising electrically conductive material.

26. (original) Apparatus for image control according to claim 23 wherein said depressible resilient dome cap has a substantially convexly rounded inner portion positioned over  
electrically conductive material.

27. (original) Apparatus for image control according to claim 26 wherein said active electronics means includes an integrated circuit chip.

28. (original) Apparatus for image control according to claim 27 wherein said active electronics means includes a micro-controller.

29. (original) Apparatus for image control according to claim 27 wherein said active electronics means includes an ASIC.

30. (previously amended) An electricity manipulating sensor controlling electronic imagery, said sensor comprising;

a depressible individual button positioned to apply pressure to electrically conductive material, said sensor creating analog output proportional to varying physical pressure applied by a human user's digit to said individual button; said sensor electrically connected to

active electronics, said active electronics interpreting the analog output of said sensor;

said sensor positioned as part of a two-hand held controller, said controller controlling imagery at least in part in relation to the analog output.

31. (previously amended) An electricity manipulating sensor for a control device according to claim 30 wherein within said sensor is a depressible resilient dome cap having a substantially convex shaped surface area to apply pressure to said electrically conductive material.

32. (original) An electricity manipulating sensor for a control device according to claim 31 wherein said substantially convex shaped surface area has an apex, said surface area is a rounded bulging area which is flexible, said



rounded bulging area increasingly flattens with increasing pressure applied to said resilient dome cap.

33. (original) An electricity manipulating sensor for a control device according to claim 32 wherein the flattening of said rounded bulging area causes additional surface area contact of said electrically conductive material with circuit trace material.

34. (original) An electricity manipulating sensor for a control device according to claim 33 wherein said circuit trace material comprises a first circuit trace and a second circuit trace.

35. (original) An electricity manipulating sensor for a control device according to claim 34 wherein said first circuit trace and said second circuit trace are interdigitated.

36. (previously amended) An electricity manipulating sensor for a control device according to claim 33 wherein said control device is a game control device including a housing to be grasped and held simultaneously by two hands of the human user during use, said housing including a right-hand area and a left-hand area, said right-hand area being an area for at least grasping by the user's right hand, said left-hand area being an area for at least grasping by the

user's left hand, said depressible individual button is located in said right-hand area.

37. (previously amended) An electricity manipulating sensor for a control device according to claim 36 wherein said housing is a single housing, and said depressible individual button is located to be depressed by the user's right-hand thumb.

38. (currently amended) An electricity manipulating sensor for a control device according to claim 36 wherein said housing is a single housing, and said individual button is located to be ~~depressed by a~~ depressed by the user's right-hand index finger.

39. (original) Game apparatus comprising:

an image display displaying game imagery, said image display connected to

an image generation machine, said image generation machine driving the game imagery, said image generation machine at least in-part controlled by

a controller, said controller comprising:

a single housing to be grasped and held simultaneously by two hands of a human user, said housing including a right-hand area and a left-hand area;

a plurality of depressible electricity manipulating devices each at least in-part exposed on said housing;

at least one of said electricity manipulating devices including means for creating an On/Off output, and

at least one of said electricity manipulating devices including a pressure-sensitive variable-conductance means for creating a varying output related to varying pressure applied by a user's right-hand digit;

active electronics means for at least interpreting the outputs of said at least one electricity manipulating device.

40. (original) Game apparatus according to claim 39 wherein said varying pressure is applied by the user's right-hand thumb.

41. (original) Game apparatus according to claim 39 wherein said varying pressure is applied by the user's right-hand index finger.

42. (original) Game apparatus according to claim 39 wherein a four-way rocker is located in said left-hand area.

43. (original) Game apparatus according to claim 42 wherein said pressure-sensitive variable-conductance means includes means for establishing additional current paths, whereby electrical resistance is lowered according to pressure applied by the user's right-hand digit.

44. (original) Game apparatus according to claim 43 wherein said pressure-sensitive variable-conductance means includes a deformable surface on an underside of a resilient dome cap.

45. (original) Game apparatus according to claim 44 wherein said varying pressure is applied by the user's right-hand thumb.

46. (original) Game apparatus according to claim 44 wherein said varying pressure is applied by the user's right-hand index finger.

47. (original) Game apparatus according to claim 45 wherein said deformable surface includes an apex.

48. (newly presented) A game controller, comprising:  
a housing structured to be held in two hands simultaneously, said housing having a right-hand area and a left-hand area;  
a variable pressure sensor is located within the right-hand area of said housing.

49. (newly presented) A game controller, comprising:  
a two-hand held housing; and exposed on said housing is  
an individual button; said individual button is depressible with varying degrees of pressure causing corresponding varying of a game.

50. (newly presented) A game controller, comprising:  
a housing structured to be held in two hands simultaneously, said housing having a right-hand area and a left-hand area;  
an individual button; said individual button is depressible with varying degrees of pressure causing corresponding varying of a game;  
said individual button is located within the right-hand area of said housing.

51. (newly presented) A game controller according to claim 50, comprising:  
a second individual button is depressible with varying degrees of pressure causing corresponding varying of a game;  
said second individual button is located within the right-hand area of said housing.

52. (newly presented) A process of providing control of a simulated car, the process comprising:  
the simulated car while moving forward is variably slowed according to variable pressure applied to  
an individual button located in a right hand area of a two hand held control device.

53. (newly presented) A process according to claim 52 comprising increasing a rate of the moving forward simulated car according to variable pressure applied to  
an individual button of the two hand held control device.

54. (newly presented) A process of manufacturing a game controller, comprising:  
forming a housing to be held in two hands simultaneously, said housing having a right-hand area and a left-hand area;

installing a variable pressure sensor within the right-hand area of said housing.

55. (newly presented) A process of manufacturing a game controller, comprising:

forming a two-hand held housing;

installing with said housing an individual button; said individual button is depressible with varying degrees of pressure causing corresponding varying of a game.

56. (newly presented) A process of manufacturing a game controller, comprising:

forming a housing to be held in two hands simultaneously, said housing having a right-hand area and a left-hand area;

installing a first individual button in the right-hand area of said housing; said first individual button is depressible with varying degrees of pressure causing corresponding varying of a game;

installing a second individual button in the right-hand area of said housing; said second individual button is depressible with varying degrees of pressure causing corresponding varying of the game.